

UNITED STATES DISTRICT COURT
FOR DISTRICT OF MASSACHUSETTS

DOCKET NUMBER: 04-10303 RCL

UNITED STATES OF AMERICA

V

DEFENDANT'S MOTION IN LIMINE

RASHAUN SCOTT

Now comes the defendant, RASHAUN SCOTT, and moves that this Honorable Court exclude from the testimony of Cassandra Scott any discussion about an alleged second gun.

As grounds therefore, the defendant states, first, that he is not charged with possessing a second gun. Therefore, any testimony from Cassandra Scott about a second gun is not relevant to this case. Furthermore, the Government has taken the position through the Search Warrant Application submitted by Officer George Almeida, that a second gun was thrown away by the defendant's mother, Geraldine Scott. Therefore, any testimony from Cassandra Scott that a second gun was taken out of the house by the defendant's friends is completely inconsistent with the Search Warrant Application submitted under oath by Officer Almeida. Furthermore, any testimony from Cassandra Scott about a second gun is highly prejudicial and inflammatory.

For these reasons, stated above, the defendant moves that this Court exclude this testimony.

By his attorney,

/s/ C. Samuel Sutter

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